IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY SIXTH DAY OF SEPTEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No. 20940 of 2005

Between:

Surampudi Satyanarayana

..... PETITIONER

AND

The Executive Enginer A.P. Transco

Mandapet East Godavari District

And 2 others

.....RESPONDENTS

ORDER:

Seeking a Mandamus, declaring the action of the respondents not granting power connection and permission to the petitioner's ice candy unit at petitioner's house No.12-10-3A, Tapeswaram, East Godavari District, as illegal and arbitrary, the present writ petition is filed.

It is the case of the petitioner that he intends to start an Ice Candy unit with the power capacity of 10 H.P.Motor and hence he applied for power connection to the respondents. In the meanwhile, some third parties filed a civil suit against the petitioner stating that the proposed Ice Candy unit will cause pollution, and at first they obtained injunction. Aggrieved by then same, the petitioner preferred appeal and the same was allowed, and the third parties also filed CRP against the appellate order and the same was also dismissed. Though the petitioner placed all the material, the respondents have not issued power connection to his proposed unit. The petitioner also made representation on 06.08.2005 in this regard, but the respondents have not taken any action. Hence the present writ petition.

Heard the learned counsel for the petitioner and the learned counsel for the respondents.

Admittedly, the representation of the petitioner dated 06.08.2005 is pending consideration with the respondents 2 and 3 and the respondents 2 and 3 have to take appropriate decision thereon, in accordance with law.

In that view of the matter, without entering into the merits of the case, I deem it appropriate to dispose of the writ petition, with a direction to the respondents 2 and 3, to take appropriate decision on the representation of the petitioner dated 06.08.2005, and pass necessary orders thereon, in accordance with law, within a period of 4 (four) weeks from the date of receipt of a copy of this order.

With the above directions, the Writ Petition is disposed of. No order as to costs.

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K.C. BHANU,J

Dated: 26.09.2005

Dsr

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Note:

Issue CC in two days

B/o

Dsr